

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-cr-76-BO-1
No. 5:18-cv-167-BO

CHRISTIAN G. RHODES,)
Petitioner,)
)
v.)
)
UNITED STATES OF AMERICA,)
Respondent.)

O R D E R

This cause comes before the Court on petitioner's motions to amend his 28 U.S.C. § 2255 [DE 65] and for an extension of time to reply to the government's motion to dismiss. [DE 67]. The motion implicates Federal Rule of Civil Procedure 15(a)(2), which provides that a party may amend its pleading with the court's permission. The law is well settled that "leave to amend a pleading should be denied *only* when the amendment would be prejudicial to the opposing party, there has been bad faith on the part of the moving party, or the amendment would be futile." *Edwards v. City of Goldsboro*, 178 F.3d 231, 242 (4th Cir. 1999) (emphasis in original, internal quotation marks and citation omitted). For good cause shown, petitioner's motions [DE 65, 67] are GRANTED. Petitioner shall file his response to the government's motion to dismiss, or his amended § 2255 motion, on or before October 30, 2019.

SO ORDERED, this 41 day of September, 2019.


TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE